

**REMARKS**

**I. Summary of the Office Action and this Reply**

Claims 5-8, 27-38, 42, 45-47 and 50-75 are pending in the application. The Examiner has rejected claims 5-8, 27-38, 42, 45-47 and 50-75 under 35 U.S.C. § 102(b) asserting that such claims are anticipated by U.S. Patent No. 5,442,749 to Northcutt ("Northcutt"). The Examiner has rejected claims 5-8, 27-38, 42, 45-47 and 50-75 under 35 U.S.C. § 102(e) asserting that such claims are anticipated by U.S. Patent No. 6,085,199 to Rose ("Rose"). The Examiner has further rejected claims 5-8, 27-38, 42, 45-47 and 50-75 under 35 U.S.C. § 102(a) and 102(e) asserting that such claims are anticipated by U.S. Patent No. 5,764,235 to Hunt ("Hunt").

In this Reply, claims 27, 64, 68, 69 and 73 are amended.

**II. Discussion**

**The Present Invention**

The present invention provides a method for fulfilling a user's request for information content with a version of a file containing that information content. Page 14, line 3 - page 15, line 9. Users can receive individual files in various formats and/or resolutions, with a corresponding savings in network resources and latency for selection of smaller, lower resolution versions of files. Page 12, lines 3-22. If a user requests a version that is materialized (i.e. stored in memory or otherwise resident) on the server or other computer for servicing a network request for information, that version of the file is transmitted to the user's client device in the usual fashion. Page 9, line 26 - page 10, line 1. If the user-selected version is not

materialized (i.e., stored) on the server or other computer, then the user-selected version is derived from an appropriate materialized version. Page 10, lines 1-3.

Accordingly, if a user requests a file that is not actually stored on a server or other computer, the present invention provides for creation of that requested file in an automated fashion, i.e. by conversion, by deriving the requested file from a file that is actually stored on the server of other computer. Thus, multiple versions may be supported although fewer than all available version files need be stored on the server. Page 15, lines 10-21; page 16, lines 13-19; page 18, lines 14-24.

In one embodiment, the present invention is implemented at a proxy computer for relaying communications between a client and a server. See page 3, lines 6-13; original claim 12. According to the invention, the proxy is multiresolution aware. Page 21, lines 11-15; page 22, lines 5-27. Accordingly, if a proxy receives a request from a client for a user-selected version of a target file that is not resident at the proxy, the proxy determines whether the user-selected version can be derived from a version of the target file in the proxy's memory cache. Page 22, lines 6-8. If there is no such version in the proxy's cache, the proxy transmits a request to the server for a materialized version from which the user-selected version can be derived. Page 22, lines 14-17.

After selecting a hyperlink to request particular informational content, users may select a desired version on a per-request basis, e.g. through a GUI-based menu. Page 9, lines 18-20; page 20, line 25 - page 21, line 9. More specifically, after selection of the hyperlink, the user selects a user-selected version of the file from a menu generated upon selection of the hyperlink. The hyperlink, like the

target file, is independent of any version of the target file. Page 14, lines 4-11; page 19, lines 2-5; page 20, line 10 - page 21, line 1.

Alternatively, the client may register a preference for a default version to automatically have files delivered in a predetermined manner. Page 19, lines 17-25. As yet another alternative, the version of the requested file that is delivered to a specific client may be determined by a proxy interconnecting the client and the server or otherwise, such that the conversion to derive the particular version is performed automatically, without the need for a user's intervention, selection or request. Page 19, lines 17-25.

**U.S. Patent No. 5,442,749 to Northcutt**

Northcutt discloses a network video server apparatus and method for transferring video image data across a computer network serving multiple clients. The client provides the user with a means of controlling the size and type of image to be sent by the server to the client. Abstract. Different formats of image data can be sent to different clients. Col. 9, lines 22-30.

Data transfer to the client begins with the client's selecting of the format of image data to be sent to the client. Col. 9, lines 6-10. In other words, the particular format to be used is selected by the user of the client machine. Col 9, lines 48-54. Specifically, the client tells the server through the SET\_MODE command which preview format the client wishes to receive. Col 9, lines 33-35. Accordingly, the format is determined by the user of the client, according to the user's preference, on a per-request basis.

**U.S. Patent No. to 6,085,199 to Rose**

Rose discloses a method for distributing a file in a plurality of different file formats. More specifically, Rose discloses displaying a web page in which multiple hyperlinks are presented to files in various formats. In accordance with the teachings of Rose, not all of the files listed via the hyperlinks are actually stored on the server. Rather some files for which hyperlinks are displayed may be created on an "as needed" basis, thereby reducing the number of files that would otherwise be stored on the server. Rose, col. 4, lines 40-67.

However, each hyperlink 312, 314 displayed via the web page is associated with a single format such that the hyperlink itself displays the file extension designation that is indicative of the file's format (e.g. \*.voc or \*.au format). See Rose, Figure 3; col. 4, lines 63-65 and lines 55-63. Accordingly, the user can view the hyperlinks to identify the available format options for receiving a file, and determine in which format the user wishes to receive the file. Figure 3. The user knows which formats of files can be played by his computer's player program, so the user "will select a . . . file with an appropriate file extension designation" when viewing the hyperlinks. Col. 4, lines 33-37.

Rose further discloses, to a limited extent, that selection of a "particular sound file format may . . . be done automatically and the user would only have to select which file was to be played without specific selection of the format. The server would be able to determine which formats the user would be capable of playing and download the selected file in an appropriate file format automatically." Col. 5, lines 12-16. Accordingly, Rose further discloses that the server may be able to actively

determine which formats a particular client device would be capable of playing, e.g. by determining which player programs are available to a given user, and to download the file in a corresponding format.

**U.S. Patent No. to 5,764,235 to Hunt**

Hunt discloses techniques for transmitting graphical images in a network environment such that the amount of data of the graphical images is customized. Abstract. However, the technique involves obtaining of image control information, particularly from a client. Col. 2, lines 31-43; col. 3, lines 3-4. Both the client and the server must be able to support the disclosed image customization process in order to allow for transmission of the image control information and responding thereto by customizing the image. Col. 5, lines 17-22; col. 7, lines 13-22.

**III. Response to 102 Rejections**

In paragraphs 4, 7 and 10 of the Action, the Examiner rejected claims 5-8, 27-38, 42, 45-47 and 50-75 under 35 U.S.C. § 102(a), (b) and/or (e) over Northcutt, Rose, or alternatively Hunt. Claims 27, 64, 68, 69 and 73 have been amended.

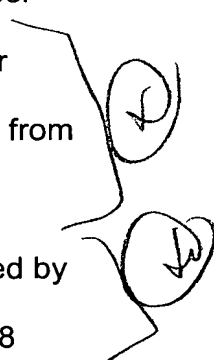
A rejection under 35 U.S.C. § 102 is proper only if each and every element of the claim is found in a single prior art reference. MPEP § 2131.

**Claims 5-8, 42 and 45-47**

Claims 5-8, 42 and 45-47 stand rejected under 102(a), 102(b) and/or 102(e) over Northcutt, Rose and Hunt, alternatively. Independent claim 5 requires

receiving, at a deriving computer, a request from a client for transmission to the client of a user-selected version of a target file, deriving by conversion the user-selected version from a materialized file from which the user-selected version is derivable if the user-selected version is not accessible to the deriving computer, and transmitting, from the deriving computer to the client, the user-selected version.

In addition, claim 5 requires a transmission from the deriving computer to a server responsive to receiving the request for the user-selected version. In particular, this step requires transmission of a request for transmission to the deriving computer of a materialized parent file from which the user-selected version may be derived by conversion. Accordingly, the deriving computer is not the server computer, e.g. it may be a proxy computer. Additionally, this computer is multiresolution aware in that it recognizes that, when it receives a request from a client for the user-selected version of the parent file ("file A"), it responsively transmits to a server a request for a materialized parent file from which the user-selected version may be derived ("file B"). Accordingly, the deriving computer receives a request for file A and issues a request for file B, then derives file A from file B and transmits file A to the requesting client. Contrary to the Examiner's assertions in paragraphs 4-6 of the Action, this is nowhere taught or suggested by Northcutt, Rose or Hunt. Claim 5 is therefore believed patentable. Claims 6-8 depend from claim 5 and are likewise believed patentable. Reconsideration and withdrawal of the rejection of claims 5-8 are respectfully requested.



Independent claim 42 is believed patentable for reasons similar to those set forth above for claim 5. Claim 42 is directed to a proxy computer for satisfying a

request for a user-selected version of a target file not materialized on the proxy computer. The proxy computer relays communications between a client and a server. See page 3, lines 6-13; original claim 12. This proxy computer is multiresolution aware in that in addition to programs for deriving the user-selected version from a parent version and transmitting the user-selected version to a requesting client, the proxy computer includes a program for requesting from a server computer a materialized parent version of the target file from which the user-selected version can be derived if the user-selected version is not stored on the proxy computer. Accordingly, the proxy computer is configured to request file B from a server computer when it receives a request for file A, if file A can be derived from file B. As discussed above, this is nowhere taught or suggested by Northcutt, Rose or Hunt. Claim 42 is therefore believed patentable. Claims 45-47 depend from claim 42 and are likewise believed patentable. Reconsideration and withdrawal of the rejection of claims 42 and 45-47 are therefore respectfully requested.

#### **Claims 27-38**

Claims 27-38 stand rejected under 102(a), 102(b) and/or 102(e) over Northcutt, Rose and Hunt, alternatively. Independent claim 27 is directed to a method of communication whereby the user selects, at a client, a hyperlink that is a single point of access to a target file having particular informational content. Like the target file, the hyperlink is independent of any version of the target file. Page 14, lines 4-11; page 19, lines 2-5; page 20, line 10 - page 21, line 1. This is contrary to the teachings of Rose, in which the format/version of a file is apparent from the file

extension displayed in the hyperlink, which helps the user select the hyperlink accordingly. See Rose, col. 4, lines 33-37. This is neither taught nor suggested by Northcutt, Rose or Hunt.

After selection of the version-independent hyperlink, a menu of user-selectable versions is generated at the client, such that at least one user-selectable version is derivable by conversion from a materialized version. The user then selects a user-selected version of the file from the menu, and receives the user-selected version. The provision of such a version/format-independent hyperlink, and then generation of a menu of user-selectable versions/formats is neither taught nor suggested by Northcutt, Rose or Hunt.

For at least these reasons, claim 27 is believed allowable. Claims 28-38 depend from claim 27 and are likewise believed patentable. Reconsideration and withdrawal of the rejection of claims 27-38 is therefore respectfully requested.

**Claims 50-63 and 64-68**

Claims 50-63 stand rejected under 102(a), 102(b) and/or 102(e) over Northcutt, Rose and Hunt, alternatively. Independent claim 50 is directed to a method in which the derived version is a predetermined default version that is a low resolution version of the parent file. The derivation/conversion is therefore performed automatically, without the need for registration or communication of a user/client preference, which requires special configuration of the client and/or server and/or would slow communications by requiring extra steps/processes. See discussions of Northcutt, Rose and Hunt, above. Accordingly, formats/versions

need not be handled on a per-request basis, but rather can be handled in bulk. This is contrary to the teachings of Northcutt, Rose and Hunt, and is neither taught nor suggested therein. Claim 50 is therefore believed patentable. Claims 51-63 depend from claim 50 and are likewise believed patentable.

In addition, claim 55, which relates to requesting a parent file from which the user-selected file can be derived, is further believed patentable for reasons similar to those set forth above for claim 5. Claim 57, relating to menu generation, is further believed patentable for reasons set forth above for claim 27. For at least these reasons, reconsideration and withdrawal of the rejections of claims 50-63 are respectfully requested.

Independent claims 64 and dependent claims 65-68 are believed patentable for reasons similar to those set forth above for claim 50. In particular, claim 64 requires automatic derivation of a derived version, the derived version being determined by a predetermined default setting. Claims 65-68 expressly recite that such setting is not determined by the user/client. As discussed above, this is neither taught nor suggested by Northcutt, Rose or Hunt. Additionally, claim 68 recites that the materialized file is received by the proxy in response to the proxy's request for transmission of a materialized parent file from which the user-selected version may be derived by conversion, the proxy requesting the parent file. Therefore, claim 68 is further believed patentable for reasons similar to those set forth above for claim 5. For at least these reasons, claims 64-68 are believed patentable. Reconsideration and withdrawal of the rejections of claims 64-68 are therefore respectfully requested.

**Claims 69-72**

Claims 69-72 stand rejected under 102(a), 102(b) and/or 102(e) over Northcutt, Rose and Hunt, alternatively. Amended independent claim 69 involves selection of a hyperlink that is independent of any version of the target file, transmitting to a server, responsive to receiving the request for transmission of the target file (file A), a request for transmission of a materialized parent file (file B) from which another version may be derived by conversion, and deriving, in accordance with a predetermined default setting, a derived version of the materialized file embodying the particular informational content. Accordingly, amended claim 69 is believed patentable for reasons similar to those set forth above for claims 5, 27 and 50. Claims 70-72 depend from claim 69 and are likewise believed patentable. Reconsideration and withdrawal of the rejection of claims 69-72 is therefore respectfully requested.

**Claims 73-75**

Claims 73-75 stand rejected under 102(a), 102(b) and/or 102(e) over Northcutt, Rose and Hunt, alternatively. Independent claim 73 involves deriving by conversion at a proxy computer, and deriving, in accordance with a predetermined default setting, a derived version of the materialized file embodying particular informational content. Accordingly, amended claim 73 is believed patentable for reasons similar to those set forth above for claims 42 and 50. Claims 74-75 depend from claim 73 and are likewise believed patentable. Reconsideration and withdrawal of the rejection of claims 73-75 is therefore respectfully requested.

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**CONCLUSION**

In view of the foregoing amendments and remarks, Applicants believe claims 5-8, 27-38, 42, 45-47 and 50-75 to be patentable and the application in condition for allowance. Applicants respectfully request issuance of a Notice of Allowance. If any issues remain, the undersigned request a telephone interview prior to the issuance of an action.

Respectfully submitted,

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